

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 85 of 2024

West Bengal Subordinate Food and Supplies Service Association & Ors. -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order For the Applicants : Mr. M.N. Roy, Ld. Advocate.
Mr. G. Halder, Ld. Advocate.

For the State Respondent : Mr. G.P. Banerjee, Ld. Advocate.

01
19.03.2024

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The applicants have prayed for setting aside the impugned orders dated 02.01.2023 passed in compliance of the order in OA 672 of 2022 and impugned order passed on 15.05.2023 in compliance to the order of the Tribunal in OA 223 of 2022. The respondent authority after considering the matter had regretted granting Scale No. 10 under ROPA Rule, 1990.

Mr. Banerjee, learned counsel for the State respondent has opposed admission of this application on the ground that one single application cannot be filed for setting aside the impugned reasoned orders passed in terms of previous separate applications.

Mr. Roy, learned counsel for the applicants does not agree to such argument and submits that there does not exist any specific Rule disallowing the applicants from assailing more than one impugned reasoned order passed in terms of separate applications.

Heard the learned counsels, the matter is admitted keeping the point of maintainability open.

The Tribunal finds that in this matter several points of law are involved and it would be appropriate if this matter is heard by a Bench comprising two Members (Judicial & Administrative). Learned counsels for both the sides also agree.

Therefore, let this matter be placed before and heard by a Bench comprising two Members (Judicial & Administrative) on **17.09.2024** under the heading **“Hearing”**.

Reply and rejoinder, if any, in the meantime.

CSM

SAYEED AHMED BABA
Officiating Chairperson & Member (A)